

## WHAT WE CLAIM IS:

1. An occupant determining device, comprising:
  - a load detecting sensor provided on a seat body; and
  - a controller calculating a detected load value based on an output value of the load detecting sensor and performing occupant determination based on the detected load value, wherein the occupant determination state is switched to an adult determination state when a certain delaying time elapses after the detected load value exceeds a first determination threshold, wherein the controller sets the delaying time shorter when the detected load value exceeds the first determination threshold within a predetermined time after the detected load value exceeds a second determination threshold.
2. An occupant determining device, according to claim 1, wherein a first delaying time and a second delaying time being shorter than the first delaying time are provided as the delaying time, the controller sets the first delaying time as the delaying time when the detected load value exceeds the first determination threshold after elapsing of the predetermined time under the detected load value exceeding the second determination threshold, and the controller sets the second delaying time as the delaying time when the detected load value exceeds the first determination threshold within the predetermined time after the detected load value exceeds the second determination threshold.
3. An occupant determining device, comprising:
  - a load detecting sensor provided on a seat body; and
  - a controller calculating a detected load value based on an output value of the load detecting sensor and performing occupant determination based on the detected load value, wherein the occupant determination state is switched to an adult determination state when a certain delaying time elapses after the detected load value exceeds a first determination threshold, wherein the occupant determination state is switched to an occupant-being determination state by the controller during within a predetermined time when the detected load value exceeds a second determination threshold; and the controller sets the delaying time shorter when the detected load value exceeds the first determination threshold under the occupant-being determination state.

4. An occupant determining device, according to claim 3, wherein the occupant determination state is switched to a child determination state by the controller when the detected load value does not exceed the first determination threshold under the occupant-being determination state.